

APPLICATION FOR PERMISSION TO CHANGE POINT OF DIVERSION, MANNER OF USE AND PLACE OF USE OF THE PUBLIC WATERS OF THE STATE OF NEVADA HERETOFORE APPROPRIATED

MAR 27 1991

Date of filing in State Engineer's Office

Returned to applicant for correction

MAR 27 1991

Corrected application filed

Map filed

The applicant Dalton Livestock, a Nevada General Partnership

Box 60-125

Street and No. or P.O. Box No.

of

Wells

City or Town

Nevada 89835

State and Zip Code No.

hereby make S. application for permission to change the

Point of Diversion

Point of diversion, manner of use, and/or place of use

of water heretofore appropriated under

Permit #47499

Identify existing right by Permit, Certificate, Proof or Claim Nos. If Decreed, give title of Decree and

identify right in Decree.

- The source of water is Underground
Name of stream, lake, underground spring or other source.
- The amount of water to be changed 4.0 c.f.s.
Second feet, acre feet. One second foot equals 448.83 gallons per minute.
- The water to be used for Irrigation and Domestic
Irrigation, power, mining, industrial, etc. If for stock state number and kind of animals.
- The water heretofore permitted for Irrigation and Domestic
Irrigation, power, mining, industrial, etc. If for stock state number and kind of animals.
- The water is to be diverted at the following point NW $\frac{1}{4}$ SW $\frac{1}{4}$ Section 28, T.39N., R.62E.,
Describe as being within a 40-acre subdivision of public survey and by course and
MDM at a point from which the NW corner of said Section 28 bears N. 0° 53' W.,
distance to a section corner. If on unsurveyed land, it should be stated.
3,920 feet.
- The existing permitted point of diversion is located within NW $\frac{1}{4}$ SW $\frac{1}{4}$ Section 28, T.39N., R.62E.,
If point of diversion is not changed, do not answer.
MDM, at a point from which the NW corner of said Section 28 bears N. 11° 12'
W., 3,667 feet.
- Proposed place of use Same as Existing
Describe by legal subdivisions. If for irrigation state number of acres to be irrigated.
- Existing place of use SW $\frac{1}{4}$, N $\frac{1}{2}$ SE $\frac{1}{4}$ and the SW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 28, T.39N., R.62E.,
Describe by legal subdivisions. If permit is for irrigation, state number of acres irrigated. If changing place of use and/or
MDM, 280.0 acres.
manner of use of irrigation permit, describe acreage to be removed from irrigation.
- Use will be from January 1 to December 31 of each year.
Month and Day Month and Day
- Use was permitted from January 1 to December 31 of each year.
Month and Day Month and Day
- Description of proposed works. (Under the provisions of NRS 535.010 you may be required to submit plans and specifications of your diversion or storage works.) drilled and cased well equipped with motor,
State manner in which water is to be diverted, i.e. diversion structure,
pump and irrigation system.
ditches, pipes and flumes, or drilled well, etc.
- Estimated cost of works \$45,000.00
- Estimated time required to construct works 6 months

14. Estimated time required to complete the application of water to beneficial use.....5 years

15. Remarks: For use other than irrigation or stock watering, state number and type of units to be served or annual consumptive use:

Please send copies of notices and correspondence to the undersigned agent.

By /s/ William S. Nisbet
Agent
421 Court St.
Elko, NV 89801

Compared v.jw/ bk cl/bk

Protested.....

APPROVAL OF STATE ENGINEER

This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions:

This permit to change the point of diversion and place of use of a portion of the waters of an underground source as heretofore granted under Permit 47499 is issued subject to the terms and conditions imposed in said Permit 47499 and with the understanding that no other rights on the source will be affected by the change proposed herein. The well shall be equipped with a 2-inch opening and a measuring device must be installed in the discharge pipeline near the point of diversion and accurate measurements must be kept of water placed to beneficial use. If the well is flowing, a valve must be installed and maintained to prevent waste. This source is located within an area designated by the State Engineer pursuant to NRS 534.030. The State retains the right to regulate the use of the water herein granted at any and all times.

This permit does not extend the permittee the right of ingress and egress on public, private or corporate lands.

The issuance of this permit does not waive the requirements that the permit holder obtain other permits from State, Federal and local agencies.

That portion of Permit 47499 assigned to Dalton Livestock appurtenant to land excluded from Parcel 1 on the parcel map recorded in the Elko County Recorder's Office under Document 293901 and Permit 56064 is limited to the irrigation of 195.59 acres with an annual duty of 586.77 acre-feet annually.

The amount of water to be changed shall be limited to the amount which can be applied to beneficial use, and not to exceed 2.0 cubic feet per second but not to exceed 419.12 acre-feet annually, and not to exceed a yearly duty of 3.0 acre-feet per acre of land irrigated from any and/or all sources.

Work must be prosecuted with reasonable diligence and be completed on or before June 3, 1997

Proof of completion of work shall be filed before July 3, 1997

Application of water to beneficial use shall be made on or before June 3, 2001

Proof of the application of water to beneficial use shall be filed on or before July 3, 2001

Map in support of proof of beneficial use shall be filed on or before July 3, 2001

Completion of work filed AUG 07 1997

Proof of beneficial use filed.....

Cultural map filed.....

Certificate No. Issued.....

IN TESTIMONY WHEREOF, I, R. MICHAEL TURNIPSEED, P.E.
State Engineer of Nevada, have hereunto set my hand and the seal of my

office, this 3rd day of June

A.D. 19 96

R. Michael Turnipseed
State Engineer